

REMARKS

The claims in the case are currently amended claims 1, 2-11, and 13-20. Claim 12 has been cancelled with its limits incorporated into currently amended claim 1.

Applicant specifically asked the Examiner to address the limit of the priority controller (April 3, 2008 amendment, page 7) and the amendment to claim 1 relies upon this distinction.

With respect to Van Stam, this document merely determines if a client's information as a whole is of sufficient similarity to another client that the same should be transmitted (page 6, lines 10-25). Thus, there is no prioritization of the elements within the lists, only a binary classification of transmissibility based on the whole list. It is also possible for two clients to send partial lists to each other, but again there is no prioritization of the items within such lists (page 7, lines 10-38). Thus, one client may send out-of-date information to the other, despite more recent information being available. With these differences, it cannot anticipate as a matter of law.

In contrast, the present invention distributes information according to the highest priority, and thus advantageously, the most recent up-to-date information is distributed before the distribution of older information which may no longer be relevant. As such, the invention allows a recommender to generate a more up-to-date and applicable recommendation, even if the clients have limited connectivity and can only distribute part of the preference information, as the most important elements are transmitted first.

It cannot be said the invention is obvious, since these are elements of amended claim 1, missing entirely from the prior art.

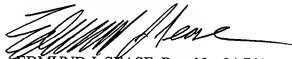
It is believed that the more narrowly defined claims clearly distinguish Van Stam, and make the case allowable.

This is a request under the provision of 37 CFR § 1.136(a) to extend the period for filing a response in the above-identified application for one month from October 25, 2008 to November 25, 2008. Applicant is a large entity; therefore, please charge Deposit Account number 26-0084 in the amount of \$130.00 to cover the cost of the one month extension. Any deficiency or overpayment should be charged or credited to Deposit Account 26-0084.

No other fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edmund J. Sease', is written over the typed name and address.

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